

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MALANEY et al. Examiner: HOM, Shick C.  
Serial No.: 09/844,477 Group Art Unit: 2666  
Filed: April 27, 2001 Docket: 03961.0046US01  
Confirmation No.: 9130 Notice of Allow. N/A  
Date:  
Due Date: N/A  
Title: TELECOMMUNICATIONS TRAFFIC REGULATOR

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 on August 24, 2005.

By: Casey Caron  
Name: Casey Caron

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 2 Reference(s), Copy of International Search Report
- ☒ Check(s) in the amount of \$180.00 for Information Disclosure Statement
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By: Brian H. Batzli  
Name: Brian H. Batzli  
Reg. No.: 32,960  
BHB/cjc

The PTO did not receive the following  
listed item(s) A Check \$ 180



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2666IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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By:   
Name: Casey Caron

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed June 26, 2001.

This statement should be considered because it is submitted before the mailing date of:  
i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or  
iii) an action that otherwise closes prosecution on the application. Enclosed is a check in the amount of \$180.00 under 37 C.F.R. § 1.17(p) for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the International Search Report.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

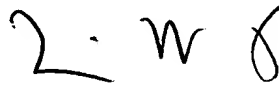
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: August 24, 2005

By   
Brian H. Batzli  
Reg. No. 32,960

BHB/cjc



<b>FORM 1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>AUG 29 2005</b> <b>PATENT &amp; TRADEMARK OFFICE</b>	<b>Docket Number:</b> 03961.0046US01	<b>Application Number:</b> 09/844,477
	<b>Applicant:</b> MALANEY et al.	
	<b>Filing Date:</b> April 27, 2001	<b>Group Art Unit:</b> 2666

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		KESIDIS, George. "Extremal Shape-Controlled Traffic Patterns in High-Speed Networks." <i>IEEE Transactions on Communications</i> , Vol. 48, No. 5. May 2000, pp. 813-819.
		MODANI et al. "Measurement Based Optimal Source Shaping with a Shaping+Multiplexing Delay Constraint." <i>IEEE INFORCOM 2000, Conference on Computer Communications, Nineteenth Annual Joint Conference of the IEEE Computer and Communications Societies</i> , pp. 1807-1816.

<b>23552</b> PATENT TRADEMARK OFFICE	
EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	